

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-7167

SHONDELL M. FLETCHER,

Plaintiff - Appellant,

versus

WOMEN'S CORRECTIONAL INSTITUTION; SOUTH
CAROLINA DEPARTMENT OF CORRECTIONS, Medical,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Florence. Falcon B. Hawkins, Senior District
Judge. (CA-02-1663-4-11-B)

Submitted: December 19, 2002

Decided: December 31, 2002

Before WILKINS and KING, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Shondell M. Fletcher, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Shondell M. Fletcher appeals the district court's order dismissing without prejudice her 42 U.S.C. § 1983 (2000) complaint. The district court referred this case to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) (2000). The magistrate judge recommended that the complaint be dismissed without prejudice and advised that failure to file specific written objections shall constitute a waiver of a party's right to further judicial review, including appellate review. The magistrate judge also noted that "any written objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections." Despite this warning, Fletcher failed to note specific objections to the magistrate judge's recommendation.

The timely filing of objections to a magistrate judge's recommendation is necessary to preserve appellate review of the substance of that recommendation when the parties have been warned that failure to object will waive appellate review. Wright v. Collins, 766 F.2d 841, 844-46 (4th Cir. 1985); see also Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982) (failure to file specific objections to particular conclusions in magistrate judge's report, after being warned of consequences waives further review). Because Fletcher was warned of the consequences of failing to file specific objections and because she failed to specify the portions of the

magistrate judge's report to which she objected, we find that Fletcher has waived appellate review. Accordingly, we affirm the judgment of the district court.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED